

Appl. No. 10/775,702  
Second Preliminary Amendment dated May 4, 2006

### **REMARKS / ARGUMENTS**

Claims 22-43 remain pending in this application. No claims have been canceled. New claims 33-43 have been added.

#### **Interview**

Applicants wish to thank the Examiner and the Examiner's Supervisor for conducting an interview with the undersigned and Applicants' representatives on April 25, 2006. As indicated in the Interview Summary, agreement was reached with respect to the patentability of the pending claims.

It was also agreed that certain language would be removed from claim 22 for purposes of clarification. This has been done. The arguments presented during the interview are contained in the Response filed on April 7, 2006, which are hereby incorporated by reference.

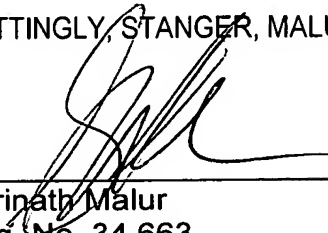
In addition, the claims have been amended to remove the word "type" to avoid confusion, since the first disks can be of the same "type" as the second disk. New claims 33-43 are similar to claims 22-32, but do not mention that the second disk is to be used as a spare disk. This limitation is not needed for patentability.

**Conclusion**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By   
Shrinath Malur  
Reg. No. 34,663  
(703) 684-1120